

REMARKS

Claims 14, 20, 21 and 23-26 are in the application.

Claims 14, 20, 21 and 23-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hshieh (U.S. Patent 6,051,468) in view of Itoh (U.S. Patent 5,034,341). These rejections are respectfully traversed, and reconsideration is requested in light of the arguments below.

Independent claim 14, the only independent claim, recites, *inter alia*, a highly conductive layer “comprising a material reacted from a metal and the semiconductor substrate which forms a highly conductive path extending from a first of said plurality of trenches to a second of said plurality of trenches.” The above-referenced Office Action states: “Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Hshieh by incorporating the highly conductive layer to extend across the trenches to form a bitline for the device as taught by Itoh.” However, the highly conductive layer taught by Itoh is not “a material reacted from a metal and the semiconductor substrate.” Rather, the highly conductive layer of Itoh is polysilicon (element 222 in FIG. 8(h), described in column 11, the paragraph beginning on line 42). Therefore the combination of Hshieh and Itoh recited in the Office Action would not satisfy the claim limitations of claim 14.

Also, there is no reason to incorporate the highly conductive layer of Itoh into Hshieh since the silicide regions 118 in Hshieh are connected by the source contact metal layer 68 which forms a highly conductive layer.

In addition, the sentence from the Office Action shown in the proceeding paragraph does not establish a *prima facia* case of obviousness because it is a mere statement that the claimed invention is within the capabilities of one of ordinary skill in the art. (*See* section 2143.01 of the M.P.E.P.)

Since claim 14, the sole independent claim is believed patentable over the cited art, it is believed that the rest of the claims are patentable over the cited art.

Applicants believe that the present application is in condition for allowance. Applicants respectfully request favorable consideration and that a timely Notice of Allowance be issued in this case.

Appl. No. 10/618,067

Resp. Dated January 15, 2008.

Reply to Office Action of November 16, 2007.

Applicants appreciate the opportunity to call the Examiner, but believe that this amendment to the claims and the forgoing remarks fully address the issues raised by the Examiner. On the other hand, the Examiner is invited to call the undersigned attorney if he has any matters to address that will facilitate allowance of the application.

In the event that Applicants have overlooked the need for an extension of time, additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefore and authorize that any changes be made to Deposit Account No.: 50-3010.

Respectfully submitted,
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